

May 5, 2015

At a regular meeting of the Board of County Commissioner, Washington County Colorado, held at the Courthouse in Akron CO on the 5th day of May 2015, there were present:

Terry G. Hart, chairman	absent and excused part of the day
David Foy, commissioner	present
Lea Ann Laybourn, chairman pro-tem	present
Garland Wahl, clerk of the board	present
Peter 'Larry' Vana, county attorney	present

Invocation was given by Father Michael Bodzioch, Saint Joseph Catholic Church.

The pledge of Allegiance was recited by those present.

It was moved by Commissioner Foy and duly seconded by Commissioner Laybourn to approve the **Agenda with additions**. On roll call vote, all votes being yes, the motion passed.

It was moved by Commissioner Foy and duly seconded by Commissioner Laybourn to approve the **Schedule of Bills for the County** from the General, Road and Bridge, Health Care, TV Translator, Landfill, Capital Expenditure and Justice Center, regular payables for May 5, 2015 with a value of \$104,372.65. On roll call vote, all votes being yes, the motion passed.

It was moved by Commissioner Foy and duly seconded by Commissioner Laybourn to approve the **Schedule of Bills for the Nursing Home** for May 5, 2015 with a value of \$10,791.38. On roll call vote, all votes being yes, the motion passed.

It was moved by Commissioner Foy and duly seconded by Commissioner Laybourn to approve the **Schedule of Bills for Pioneer Haven** for May 5, 2015 with a value of \$265.41. On roll call vote, all votes being yes, the motion passed.

It was moved by Commissioner Foy and duly seconded by Commissioner Laybourn to approve **April 14, 2015 Minutes**. On roll call vote, all votes being yes, the motion passed.

It was moved by Commissioner Foy and duly seconded by Commissioner Laybourn to approve **April 21, 2015 Minutes**. On roll call vote, all votes being yes, the motion passed.

Brenda Rhea, **Nursing Home Administrator**, reported there were 25 residents today.

- Pioneer Haven going well and is full.
- Auditor was very pleasant to work with and he had kudos for our accounting person Dani Thompson. Getting Financials to you by the 10<sup>th</sup> of each month isn't feasible. Thompson doesn't get everything (income) from the Treasurer until the 10<sup>th</sup> – 15<sup>th</sup> of the month. Thompson balances once she gets the information from the Treasurer.
- I received a letter from Medicaid that their rate is going up to almost \$50.00 July 1, 2015.

- Rhea asked about background checks on volunteers whether it should be just Colorado. Packer said volunteers should have the same background check as all employees.
- Brittany Meredith has been hired as an activity director.
- At the request of Commissioner Foy Rhea checked on purchasing bed when the new nursing home is built. She said she checked and when it gets close to the date of needing them she will order them. Packer said all of that has been taken care of.

Larry Vana, **County Attorney** reported he will work on the **county road vacation request** from Travis Diamond on Section 27-Township 3N-Range 53W. Commissioner Foy suggested he work with Jere Goodman, Goodman Realty also. Diamond will give the road base materials to the county. He would like to see it used to improve a two track road on a section line in the same section.

**Chris Packer, County Administrator Report:**

- Tri-State notified us they are going to put in a 115KB / 12.47 Delivery Point (Switch Tap) 14 miles east of Last Chance.
- Dennis Brandenburg sent an addendum to the IGA about roadways in and around Akron. The county attorney said it should be attached as exhibit A to the Agreement.
- Road study for County Road RR to increase the speed limit. Commissioner Laybourn said she contacted Larry Haas, CDOT about the cost to do a speed study. Haas referred her to Rich Follmer, Felsburg Holt & Ullevig 303-721-1440. Follmer replied that they could collect data and make a summary of their findings at a cost \$1660 for speed study at one location; \$2300 for 2 locations; and \$2850 for 3 locations. Packer will send an email to Road and Bridge Supervisors Jason Lockard Districts #1 & #2 and Steve Williams District #3 to get their input on the study.
- We need to reappoint a person who has been coming to the Health Care Board meetings. We have another person that was appointed but hasn't been coming to the meetings. (Later in the meeting Commissioner Laybourn, after checking with the county administrator, reported that the person who hasn't been coming sent a resignation letter in December and the person who has been coming asked to be reappointed in December).
- I received a bill from Glosson Construction for a solid core door that was installed at the booth under the grandstands that the Lions Club uses. Cost of the door was \$265. Jim McCracken, Facilities Operations Manager, said he asked Glosson Construction to put the door in to replace one that had been kicked in. McCracken told me the Lions Club uses the booth all the time. They cook their sausage there for their pancake supper, etc.
- The annex building needs some maintenance repairs that aren't getting done. I told Dennis Kaan to make work orders and turn them into Jim McCracken.

Commissioners Terry G. Hart, David Foy and Lea Ann Laybourn signed the following documents to start the financing of the Green House Project (new Nursing Home):

- **COLLATERAL ASSIGNMENT OF NOTE AND PLEDGE AGREEMENT (DIVISION OF HOUSING / CHIEF LOAN)** Washington County Nursing Home ("Borrower"), an enterprise of Washington County, Colorado, a political subdivision of the State of Colorado, whose address is 150 Ash Avenue, Akron, Colorado 80720, in favor of the State of Colorado, by and through the Department of Local Affairs, for the benefit of the Division of Housing (together with its successors and/or assigns, "Lender"), who address is 1313 Sherman Street, Room 500, Denver, Colorado 80203.

**DEED OF TRUST** between **WASHINGTON COUNTY, COLORADO**, a political subdivision of the State of Colorado (hereinafter called "Grantor"), whose address is 150 Ash Avenue, Akron CO 80720, and the Public Trustee of the County of Washington, Colorado (hereinafter called ("Trustee") for the benefit of **the Division of Housing** (hereinafter called "Beneficiary"), whose address is 1313 Sherman Street, Room 500, Denver, Colorado 80203. (Recorded in the Washington County Clerk and Records, Akron, Colorado Reception Number 862419.)

**COLORADO DEPARTMENT OF LOCAL AFFAIRS BENEFICIARY AND USE COVENANT** by **WASHINGTON COUNTY**, a political subdivision of the State of Colorado ("Owner"), whose address is 150 Ash Avenue, Akron, Colorado 80720, fee simple Owner of certain property. (Recorded in the Washington County Clerk and Records Office, Akron, Colorado Reception Number 862420).

**COLORADO DEPARTMENT OF LOCAL AFFAIRS PROMISSORY NOTE**

FOR VALUE RECEIVED, the undersigned **WASHINGTON COUNTY NURSING HOME**, an enterprise of Washington County, Colorado (the "Borrower", which term shall also include successors in interest), promises to pay to the **STATE OF COLORADO, by and through the Department of Local Affairs, for the benefit of the Division of Housing** (the "Beneficiary"), with an address of 1313 Sherman Street, Room 500, Denver, CO 80203, the principal sum of One Million Two Hundred Seventy-five Thousand Four Hundred Twenty and No/100 Dollars (\$1,275,420.00), pursuant to that certain Loan Contract H5HIF14074 and CMS Contract 79216 between the Borrower and the Beneficiary (the "Loan Contract"), and to pay interest on the principal balance outstanding at a rate of 1.0% per annum, compounded annually.

- **LOAN AGREEMENT between STATE OF COLORADO DEPARTMENT OF LOCAL AFFAIRS And WASHINGTON COUNTY NURSING HOME**, an enterprise of Washington County, Colorado

**Agreement Identification:**

Contract Encumbrance #: H5HIF14074 (DOLA's primary contract identification #)

Contract Management System #: (79216 State of Colorado's contract tracking #)

**Project Information:**

Project/Award Number: 14-074

Project Name: **Washington County – Green House Homes**

Brief Description of Project / Assistance: Washington County Nursing Home, an enterprise of Washington County, Colorado, has received a Colorado Housing Investment Fund loan to assist with the construction of four Elder Green Houses in Akron.

**Program & Funding Information:**

Program Name: Housing Investment Fund

- HDG: #14-074/Washington County, Colorado, a political subdivision of the State of Colorado

**Contract Routing # NAA**

**Encumbrance # H5HDG14074**

**STATE OF COLORADO  
DEPARTMENT OF LOCAL AFFAIRS  
HOUSING DEVELOPMENT GRANT (HDG) AGREEMENT  
with  
WASHINGTON COUNTY, COLORADO, A  
POLITICAL SUBDIVISION OF THE STATE OF COLORADO**

**Resolution 73-2015** It was moved by Commissioner Foy and duly seconded by Commissioner Laybourn to authorize the Board to execute the **Colorado Housing Investment Fund (CHIF) Loan** and associated documents by and between the **State of Colorado – Department of Local Affairs, Division of Housing**, and **Washington County Nursing Home**, an enterprise of Washington County, relating to the construction of the **Greenhouse Project**. The CHIF Loan in the amount of \$1,275,420.00 will be utilized for construction and is a long-term note with an expiration of June 5, 2022.

The foregoing Resolution was presented at a regular meeting of the Washington County Commissioners held on the 5<sup>th</sup> day of May 2015, by Commissioner Foy who moved its adoption. The motion was seconded by Commissioner Laybourn and on roll call vote, all votes being yes, the resolution was adopted.

**Resolution 74-2015** It was moved by Commissioner Foy and duly seconded by Commissioner Laybourn to authorize the Board to execute the **Housing Development Grant (HDG)** and associated documents by and between the **State of Colorado – Department of Local Affairs, Division of Housing**, and Washington County, relating to the construction of the **Greenhouse Project**. The HDG Grant in the amount of \$400,000.00 will be utilized for construction.

The foregoing Resolution was presented at a regular meeting of the Washington County Commissioners held on the 5th day of May 2015, by Commissioner Foy who moved its adoption. The motion was seconded by Commissioner Laybourn and on roll call vote, all votes being yes, the resolution was adopted.


**Val Foutz, Zoning Official and Assistant to the Board Report:**

- Free Day at the Landfill took in 70.01 tons of trash.
- I've had an inquiry from Meriwether Land Services, LLC asking what our permitting requirements were for building a reservoir. The site will be close to Highway 6 and the Morgan/Washington County Line with the reservoir going on the Washington County side. They stated it would be for future municipal use for the City of Brush. They are working with the State on this. I told her Washington County has no permitting requirements.
- A report of Event Center activities was reviewed.
- Larry Vana mentioned to me about the Tri-State notification that they are going to put in a 115KB / 12.47 Delivery Point Switch Tap 14 miles east of Last Chance. I received nothing on this.

Larry Vana, County Attorney sent a letter to Jere Goodman, Goodman Realty, informing him of the procedures involved to **vacate a platted County Road**. Property involved is owned by R.L. Archibald and Travis Diamond is interested in purchasing it. The Town of Akron uses this roadway to service their water wells.

Larry Vana, County Attorney sent a letter to a property owner (Brandon Barton) on behalf of the Board of County Commissioners requesting that **steel posts installed across County Road MM** section line be removed.

There being no further business the meeting was adjourned.

  
Garland Wahl, Clerk of the Board

  
Terry G. Hart, Chairman Board of County Commissioners